

IN THE UNITED STATES COURT OF FEDERAL CLAIMS

OFFICE OF SPECIAL MASTERS

(Filed: August 31, 2007)

DO NOT PUBLISH

JERRIL FANT and DAWN FANT,	)	
as father and mother of their daughter,	)	
LYNZE FANT,	)	
	)	
Petitioners,	)	
	)	
v.	)	No. 02-1419V
	)	Attorneys' Fees; Attorneys' Costs
SECRETARY OF	)	
HEALTH AND HUMAN SERVICES,	)	
	)	
Respondent.	)	
	)	

DECISION ON ATTORNEYS' FEES AND ATTORNEYS' COSTS<sup>1</sup>

Petitioners, Jerril Fant and Dawn Fant (Mr. Fant and Ms. Fant or the Fants), as father and mother of their daughter, Lynze Fant (Lynze), seek an award of \$112,000.00 in attorneys' fees and attorneys' costs for an action that they pursued successfully under the National Vaccine Injury Compensation Program (Program).<sup>2</sup> See Joint Status Report (JSR), filed August 28, 2007. The Fants represent that they did not incur any personal expenses as defined by General Order No. 9. See JSR. Respondent does not object. See JSR.

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<sup>1</sup> As provided by Vaccine Rule 18(b), each party has 14 days within which to request redaction "of any information furnished by that party (1) that is trade secret or commercial or financial information and is privileged or confidential, or (2) that are medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of privacy." Vaccine Rule 18(b). Otherwise, "the entire decision" will be available to the public. *Id.*

<sup>2</sup> The statutory provisions governing the Vaccine Program are found in 42 U.S.C. §§ 300aa-10 *et seq.* For convenience, further reference will be to the relevant section of 42 U.S.C.

The Act mandates the award of “reasonable attorneys’ fees” and “other costs” because the Fants received Program compensation. § 300aa-15(e)(1). The special master has considered carefully the Fants’ request. The special master determines that the Fants’ request is appropriate.

In the absence of a motion for review filed under RCFC Appendix B, the clerk of court shall enter judgment in the Fants’ favor for \$112,000.00. The judgment shall provide that the Fants’ attorney of record, Michael G. McLaren, Esq. (Mr. McLaren), may collect \$112,000.00 from the Fants. Under Vaccine Rule 11(a), the parties may expedite entry of judgment by filing a joint notice renouncing the right to seek review.

The clerk of court shall send the Fants’ copy of this decision to the Fants by overnight express delivery.

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John F. Edwards  
Special Master